

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0268

SENATE BILL NO. 49

Introduced by: The Committee on Commerce at the request of the Department of Revenue
and Regulation

1 FOR AN ACT ENTITLED, An Act to authorize the Real Estate Commission to commence
2 actions for injunctions against certain individuals and entities that engage in the practice of
3 real estate without a license issued and to provide for recovery of costs of the injunction
4 proceedings by the commission.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. That § 36-21A-91 be amended to read as follows:

7 36-21A-91. The commission may commence actions for injunction for unprofessional
8 conduct or, as an alternate to criminal proceedings, for violation of this chapter, chapters 43-
9 15A and 43-15B or rules promulgated pursuant thereto. The commencement of one proceeding
10 by the commission constitutes an election. The commission may also commence actions for
11 injunctions against any person or entity that engages in the practice of real estate pursuant to this
12 chapter without a license issued by the commission. In any action for injunction, the court shall
13 award the commission attorney fees and costs of the investigation and proceedings.

